

**MINUTES OF THE LEGISLATIVE MEETING OF THE TOWN BOARD OF THE
TOWN OF PELHAM HELD ON MONDAY, SEPTEMBER 17, 2018 AT TOWN HALL,
COMMENCING AT 7:05 PM**

PRESENT: DEPUTY TOWN SUPERVISOR DANIEL MCLAUGHLIN, COUNCILMAN BLAKE BELL, COUNCILMAN TIMOTHY CASE, COUNCILWOMAN RAE SZYMANSKI, AND TOWN COUNSEL THOMAS KLEINBERGER

ABSENT: SUPERVISOR PETER DIPAOLA

RECORDING SECRETARY: TOWN CLERK AMY RIOS

OTHERS PRESENT: CONFIDENTIAL SECRETARY TO THE SUPERVISOR RUTHANN DESIMONE, DEPUTY TOWN CLERK FRANCINE CAMPION, JOHN BOYCE AND A FEW MEMBERS OF THE PUBLIC

CALL TO ORDER- Town Supervisor Peter DiPaola called the Legislative Meeting to order at 7:05 P.M.

1) Swearing in of John Boyce

Recently there were resignations on the Recreation Board. Breda Bennet was elected Village of Pelham Manor Trustee and Vincent Mazzaro was elected to the Board of Education. John Boyce will be taking the remainder of Vincent Mazzaro's term ending in 2021.

2) Approval of Minutes

- a) Deputy Town Supervisor Daniel McLaughlin asked the Board to review the minutes from the Legislative meetings held on July 23, 2018.

Motion by: Councilman McLaughlin
Seconded by: Councilman Case

Voting taken

Supervisor DiPaola- Aye
Deputy Supervisor-McLaughlin- Aye
Councilman Bell- Aye
Councilman Case- Aye
Councilwoman Szymanski- Aye

Motion carried unanimously.

3) COMMITTEE REPORTS

1) Councilwoman Szymanski - Fly Car

a) July 2018 Report – Total 79 Calls

Pelham 40 calls

Pelham Manor 29 calls

Hutchison River Parkway or Interstate 95 10 calls

Average 8 minutes and 45 seconds for the backup to arrive.

b) August 2018 Report – Total 69 Calls

Pelham 38 calls

Pelham Manor 22 calls

Hutchison River Parkway or Interstate 95 9 calls

Average 8 minutes and 18 seconds for the backup to arrive.

4) COMMITTEE REPORTS

2) Councilwoman Szymanski - Fly Car

a) June 2018 Report – Total 64 Calls

Pelham 28 calls

Pelham Manor 36 calls

Hutchison River Parkway 5 calls

41% answered in 5 minutes or less and 61% answered between 6 minutes.

Average 8 minutes and 52 seconds for the backup to arrive.

- b) There was an incident on 7/22. It did not involve our ambulance or fly car that was providing back up to an incident on the Hutchison River Parkway. An Empress ambulance exited the Hutchison River Parkway very fast with disregard for the incident that was happening on the highway. Our first responders called Empress immediately and the incident is being investigated.

3) DeCicco's Breast Cancer Fundraiser – presented by Brittany Arocho and AJ Carideo

Last year DeCicco's raised \$22,000 for Breast Cancer research, their goal is to raise \$30,000 this year. This is the first year they are doing an event outside of the store. There will be local vendors and food at the event.

There will be a makeup artist on hand to do makeup for survivors. They have spoken with the Village of Pelham Board and Harmon Place will be closed for the event. They are asking to use Gazebo park and to have the

Town House open for bathroom use. The American Cancer Society will be providing their Certificate of Insurance for the event. All the vendors will have their own insurance and any volunteers from the store will be under DeCicco's insurance. Two constables will be at the event. The event will be 9/29 12 pm – 4 pm. DeCicco's would like 2 hours for set up and break down, so the constables will need to be on hand from 10 am -6 pm.

4) Councilman Bell - Legal

i) Town Court Justice Fund Internal Reporting

(1) July 2018:

(a) Justice Gardner remitted \$40,257.50 8/8/2018

(b) Justice DeChiaro remitted \$36,987.50 8/9/2018

ii) Town Court Justice Fund Internal Reporting

(1) August 2018:

(a) Justice Gardner remitted \$34,079.00 9/13/2018

(b) Justice DeChiaro remitted \$44,038.00 9/13/2018

iii) Tax Receiver Report- Monthly Statement from the Receiver of Taxes.

(1) The report for the month of July 2018 is below:

(a) Town/County Taxes 2018 Received: \$ 22,014.87

(b) Town/County Taxes 2017 Received: \$0.00

(c) School Taxes Received: \$0.00

(d) School Collection Fee: \$0.00

(e) Credit Card Fee:

(i) Town- \$1.46

(ii) School- \$0.00

(f) Duplicate Payments- (Town or School):

(g) Penalties & Interest: \$1,876.21

(T) \$1,100.73

(L) \$775.48

(S) -

(h) Liens: \$45,377.60

(i) Taxpayers Agreement: \$1,284.02

(j) Misc. \$208.00

(k) Pro-Ratas: \$287.16

(l) Total: \$71,049.32

iv) Tax Receiver Report- Monthly Statement from the Receiver of Taxes.

- (1)** The report for the month of August 2018 is below:
 - (a)** Town/County Taxes 2018 Received: \$ 4,426.22
 - (b)** Town/County Taxes 2017 Received: \$0.00
 - (c)** School Taxes Received: \$0.00
 - (d)** School Collection Fee: \$0.00
 - (e)** Credit Card Fee:
 - (i)** Town- \$0.00
 - (ii)** School- \$0.00
 - (f)** Duplicate Payments- (Town or School): \$0.00
 - (g)** Penalties & Interest: \$222.11
 - (h)** Liens: \$0.00
 - (i)** Taxpayers Agreement: \$744.36
 - (j)** Misc. \$131.00
 - (k)** Pro-Ratas: \$1,322.96
 - (l)** Total: \$6,846.65

5) Councilman McLaughlin - Library

- (1)** We recently replaced some of the sidewalk outside of the Library as well as 18 of the pavers had to be redone. Peter Landing was in town doing work for DeCiccios. He said that if the Town signed the contract that day they would get about a \$3,000 savings. The final price was \$5,650. Without Philip DeSimone's quick action the Town would not have benefited from that savings.
- (2)** The Pelham Manor Police have agreed to check in at the Library in the afternoon because there has been some mischief going on.
- (3)** Novel Night invitations have been mailed out and the event is sold out. There are more parties than ever before and there are some large parties, some are up to 50 people.
- (4)** The Library website has been redesigned. The last time it was updated was in 2014. That is coming out of the Mayer gift that we got.
- (5)** There is a survey that went out. The last time a survey went out was in 2007. It is costing \$400 to execute.

- (6) Reading group for adults has been set up. It is being done like Bingo game. Once you read all the books in the line you win something. 24 people have signed up for the group.
- (7) The Library Board is working on the budget.
- (8) There is a new bookkeeper, Gail Vidals; has been hired. Councilman McLaughlin sat with her for 2 hours to show her how to use Quicken.
- (9) Kindergarten Day is September 29th where all the kindergarteners get to get their first library card.

6) **Councilman Case – Recreation Department**

- (1) RecPro is still working great.
- (2) Summer programs went well. There was great attendance. There was one incident which was handled by Fred Fiorito.
- (3) The Halloween Parade is coming up on 10/28.
- (4) Fred Fiorito is already preparing for next summer. There are going to be some issue with the field turf conversion which is starting next June. Hutchison Elementary and the Middle School will not be available for use during next summer.
- (5) Friendship field is still not open for use. It has been closed since the spring for re-turfing. They had to take the fence down to get materials in.
- (6) Can the Recreation board go from 5 members to 7 members?
 - (a) Yes, it can by a Board resolution.
 - (b) The Board would have a staggered placement.
 - (c) Maggie Klein wanted to know how the community will be alerted to openings on the Recreation Board and suggested an application process similar to the one that happens for the School Board.
 - 1. The Board felt the word has been spread around but will investigate doing a formal application. The term is a 5-year term.
- (7) PACT has officially combined with Community Cares to form Pelham Together. This has been a five-year process. The grant is officially over, and they needed to rebrand themselves. Laura Caruso and the rest of the Board are working hard and have some great ideas. They have gotten some money from Amy Paulin. The

website has been updated and is very useful. The next board meeting is November 6th.

7) Supervisor's Report - Peter DiPaola

(1) The School wanted to use the Town House for a seminar for the teachers. The problem is that the dates they want conflict with the Senior Programs. The Senior Program takes precedence and the request has been denied.

(2) Bench Dedication Request – in Memory of Denise Christine Hickey. The issue with the request is that the family wants a Roman Cross above her name. The Town has never had a religious symbol on any of the plaques. The Board has decided that the plaque on the bench is fine if there is no religious symbol on it.

(i) Philip DeSimone should write a guideline for plaques.

(3) Town Clerk Presentation – Amy Rios

(a) As previously discussed the Town Clerk would like to have a Liberty Recorder to transcribe meetings. The meetings would go directly into a word document and can be edited from there. The software itself is free and requires a laptop. Next Step Computers has provided a quote of \$489.00 for the laptop and \$199.00 for Microsoft Office for a total of \$688.00.

Motion by: Supervisor DiPaola

Seconded by: Councilwoman Szymanski

Voting taken

Supervisor DiPaola- Aye

Deputy Supervisor-McLaughlin- Aye

Councilman Bell- Aye

Councilman Case- Aye

Councilwoman Szymanski- Aye

Motion carried unanimously.

(b) Included the new Monthly Reports from the Town Clerks office to show how much faster and transparent the new BAS software is. Another benefit is how much smoother it is to do Marriage Licenses. Deputy Town Clerk Francine Campion can input the couple's information right in front of them, they can

verify that the information is correct, and a license can be printed out immediately. Formerly we were using a typewriter. It was difficult to line up the paper, it would take longer to produce, and all the information was not automatically saved into our database.

- (4) Christ Church of Pelham** is requesting a letter from the Town Board to congratulate them on their 175th Anniversary. The date has passed but let's contact the Church and see if we can still submit something since their date was before our Board meeting.
- (5) New Generator** – The quote was submitted to the Village, but the Police Department brought it upstairs to see if we want to piggy back off it. The current proposal would only cover the Police Department and would not cover the second floor. When the generator was put in for the Town House the Town was told from ConEd that there is not enough gas running down Fifth Avenue to support a generator. That is why the Town House generator is diesel powered. The Town has since gotten some money back from the State for three other projects that had been done and now is a good time to get a generator to power Town Hall in the event of an emergency. The quote that the Village has received is very high. The Town Supervisor will review his files to find the three bids that they had gotten for the Town House generator. There is still about \$30,000 in a fund for generators. The location of the generator must be considered. The Town Hall is built right up to the property line. If we put it over by the dumpster it might be too close to the property line. The other location for the generator would be on the other side of the Holiday Tree.
- (6) Background on the IRS draft regulations regarding contributions to charitable reserved – Deputy Supervisor Dan McLaughlin**
- (a)** Amy Paulin had called a meeting for the municipalities of Westchester County. It was very well attended. Earlier in the year the IRS issued the State and Local Taxes can only be deducted up to \$10,000. August 23, 2018 the IRS issued a new proposed regulation on the use of Federal Charitable Contributions and they are looking for comments. Baker and MacKenzie would like to make comments on the behalf of Westchester County. The comments need to be made by October 11th. Amy Paulin needs funds to employ Baker and

MacKenzie. She is requesting that each municipality give \$1,000 to retain Baker and Mackenzie. Conversation ensued.

(i) Resolution to spend \$1,000 to retain Baker and Mackenzie

Motion by: Deputy Supervisor-McLaughlin

Seconded by: Councilwoman Szymanski

Voting taken

Supervisor DiPaola- Aye

Deputy Supervisor-McLaughlin- Aye

Councilman Bell- Aye

Councilman Case- Aye

Councilwoman Szymanski- Aye

Motion carried unanimously.

(7) Elevator – Maggie Klein asked about the elevator. The money has been approved, the plans have been drawn up and approved from the Town Engineer. The project is ready to begin.

(8) Transport Vehicle for the Constables – Fred Fiorito

(a) The van was purchased on grant back in 2001. The vehicle has 55,000 miles on it and is in good running condition. Fred has gotten a quote for a new vehicle. The problem is with the doors in the back. The prisoners have been pulling on the door to lift themselves into the back. Fred is going to investigate fixing the door and putting a bar over the door instead of purchasing a new vehicle. He also obtained a quote for just getting new doors.

(b) The car is a 2011 Ford that we got from Pelham Manor Police Department, it was their camera car. We put in about \$9,000 into it, cleaned, repainted.

1. The Board is requesting a written request for all the issues with the vehicles before deciding how to go forward with repairs or purchases. Discussion ensued.

(9) Wireless Telecommunications Tower –The Department of Transportation wants to build a 130-foot telecommunications tower across the street from the library. The Town Board drafted a letter and it has not been sent out yet.

- 8) Motion to go into Executive Session about 8:35 pm**
i) Purpose - to discuss personnel issue and legal issue

Motion by: Councilman McLaughlin
Seconded by: Councilwoman Szymanski

Voting taken

Supervisor DiPaola- Absent
Deputy Supervisor-McLaughlin- Aye
Councilman Bell- Aye
Councilman Case- Aye
Councilwoman Szymanski- Aye

Motion carried unanimously

Respectfully Submitted,

Amy Rios
Town Clerk